

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 2-17 were pending in this application. Claims 4 and 10-16 have been withdrawn from consideration. Claims 3, 6, and 8 have been amended. Accordingly, claims 2, 3, 5-9, and 17 (and withdrawn claims 4 and 10-16) will be pending herein upon entry of this Amendment.

In the Office Action mailed May 24, 2004, the Examiner rejected claims 2, 3, 5-9, and 17 35 U.S.C. § 103(a) as unpatentable over various combinations of German Patent DE 9417837 to Muller et al. ("Muller"), U.S. Patent No. 5,632,588 to Crorey et al. ("Crorey"), U.S. Patent No. 5,520,502 to Liljengren et al. ("Liljengren"), European Patent No. EP 180,050 to Brake ("Brake"), and U.S. Patent No. 3,958,740 to Dixon ("Dixon").

To the extent these rejections might still be applied to the claims presently pending in this application, they are respectfully traversed.

In the present Amendment, claims 3 and 6 have been amended to clarify the present invention. Claim 8 has been amended to correct matters of form based on its dependence on amended claim 6.

In the Office Action, in support of the rejection of claims 17 and 2, the Examiner asserts that "continuous control and registration of the rotor units are inherently part of any planned. . . action or movement of a device." The Examiner cites generally to Muller and in the Conclusion section for supporting this contention. However, as indicated in the M.P.E.P. at section 2112, "[t]he fact that a certain result or characteristic may occur or be present in the prior art is not

sufficient to establish the inherency of that result or characteristic.” (citations omitted). “To establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.’” In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999)(citation omitted)(emphasis added).

In the present invention, a robot is provided with continuous monitoring (registration) and computer control of motors controlling the movement of the robot. As disclosed on page 8, lines 7-19, a computer can control motions, speeds and positions of a robot by monitoring sensors placed on rotors attached to the motor. The position can therefore be continuously monitored and updated “in thousandths of a second” (line 27), allowing for the load to be driven “very quickly and, at the same time, expose[d] . . . to minimal force stresses.” Applicants respectfully submit that continuous monitoring and control is not “necessarily present” in the planned action of devices such as robots. For example, the starting and stopping of robots could be triggered by sensors placed at start and stop points, without a need for continuous control and monitoring of a planned movement between the start and stop points. Since the Examiner has not cited any extrinsic evidence to clearly show that “continuous control and registration of the situation of each of the rotor units of the motors” is “necessarily present” in the cited references, Applicants respectfully request the examiner to withdraw the claim rejection based on inherency of that feature for claims 17 and 2. Accordingly, because the cited prior art also does not

explicitly teach the above limitation, claims 17 and 2 should be in allowable condition.

Moreover, at least for their dependency on claim 17, all the remaining claims should be in condition for allowance.

To clarify further patentable features of the present invention, Applicants have amended claim 3 to recite a method for transferring work objects using a robot having a first and second grip unit, "each of the first and second gripping units capable of collecting and placing objects simultaneously with the other unit." Support for this language can be found, for example, in Figures 5A-5D.

In the Office Action, the Examiner alleges that Liljengren at column 6, paragraph 5 teaches the simultaneous picking up of two objects. However, in column 6, paragraph 5, line 34 Liljengren states "it is further possible to employ two holders 33 on each boom 27 and to place, on these holders, equipment for transferring the workpiece from the one holder to the other, possibly at the same time as the workpiece is tilted or turned." In other words, equipment connected to the holders themselves causes transfer of an object between holders. This process may occur at the same time that "the workpiece is tilted." This description can only be reasonably construed to mean that object transfer occurs within a mechanism attached to the gripper mechanism ("boom"). Nowhere does Liljengren teach the simultaneous picking up of separate objects using the holders ("wherein the gripping mechanism includes a first and a second gripping unit, the units capable of simultaneously picking up separate objects"). Indeed, Liljengren teaches away from the present invention's feature of transferring a single object between gripping mechanisms through an intermediate storage (item 16, Figure 5). Nor do

Muller or Crorey teach or suggest a method for transferring work objects using a robot having a first and second grip unit, "each of the first and second gripping units capable of collecting and placing objects simultaneously with the other unit." Accordingly, upon entry of the present Amendment, claim 3 should be in allowable condition.

Similarly, claim 6 recites a method for transferring a work object including a robot that has a gripping mechanism "wherein the gripping mechanism includes a first and a second gripping unit, the units capable of simultaneously picking up separate objects." Applicants respectfully submit that for the same reasons stated above for amended claim 3, amended claim 6 is not taught or suggested by any combination of Muller, Crorey, and Liljengren. Accordingly, at least for the above reasons, amended claims 3 and 6 should be allowable. Furthermore, at least for their dependence on an allowable claim, claims 7-9 should be in allowable condition.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Applicants respectfully request that the Examiner withdraw the final rejection of the claims and enter the present Amendment. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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